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7 Inc. and Homes.com, Inc.*

8 **UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF ARIZONA**

10 Lisa Pierucci, individually and on behalf of
11 all others similarly situated,

12 Plaintiff,

13 v.

14 Dominion Enterprises, Inc.,

15 Defendant.

Case No. 3:20-cv-8048-DWL

**JOINT MOTION TO SUBSTITUTE A
PARTY AND REQUEST FOR
EXTENSION OF TIME TO
RESPOND TO COMPLAINT**

(First Request)

16 Pursuant to Rule 15(a)(2) for the Federal Rules of Civil Procedure, Plaintiff Lisa
17 Pierucci and Defendant Dominion Enterprises, Inc. (“Dominion”) move this Court for
18 entry of an Order substituting Homes.com, Inc. in place of Dominion as the Defendant in
19 this action, and in support thereof, state as follows:

21 1. On April 13, 2020, Plaintiff served Dominion with the Complaint in the
22 above-referenced matter. *See* Proof of Service. [ECF No. 7].

23 2. Dominion moved for an extension of time to respond to the Complaint until
24 June 3, 2020, which this Court granted. *See* D.E. [ECF Nos. 8 and 8-1].

25 3. In the context of preparing Dominion’s response to the Complaint,
26 Dominion’s counsel informed Plaintiff’s counsel that Dominion does not do business as
27 Homes.com, as alleged in the Complaint, and that the legal entity that does business as
28 Homes.com is Homes.com, Inc. (“Homes.com”), an affiliate of Dominion.

4. In light of the information in Paragraph 3, Plaintiff, Dominion, and Homes.com have agreed to substitute Homes.com as the Defendant in this matter, which means adding Homes.com as a party and dismissing Dominion. Other than substituting the Defendant, the allegations in the Complaint remain the same.

5. Given the substitution, Homes.com requests an extension of time of five additional days, until June 8, 2020, to respond to the Complaint. Plaintiff does not oppose such request.

6. In addition, the Parties request that the style and pleadings should be amended to reflect that Homes.com is the proper party defendant in the Complaint.

7. This is Homes.com's first request for an extension in this litigation.

RESPECTFULLY SUBMITTED this 2nd day of June, 2020.

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CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of June, 2020, I electronically transmitted the attached document to the Clerk's office using the ECF System for filing and service on Plaintiff as listed below:

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